

### III. REMARKS

1. Claims 1-17 remain in the application. Claims 1, 9, and 17 have been amended.
2. Claims 1, 9, and 17 have been amended to overcome the 35 USC 112, second paragraph rejection.
3. Applicants appreciate the courtesies extended by the Examiner during the Interview on 12 June 2007. It is Applicants' understanding that the present claims overcome the art cited thus far.
4. Claims 1-3, 5-11 and 13-17 are not anticipated by Gleeson et al. (US 5,627,829, "Gleeson") under 35 USC 102(b).

Gleeson fails to disclose or suggest completely forming messages by the application layer from the information to be transmitted, where said messages are different from said information being transmitted, as recited by claims 1, 9, and 17.

At least for these reasons, Applicants submit that Gleeson does not anticipate independent claims 1, 9, and 17 and dependent claims 2, 3, 5-10, 11, and 13-16.

5. With particular reference to claims 7 and 15, Gleeson fails to disclose using the WAP system. The Examiner states that the radio modem protocol "RM" is functionally equivalent to wireless application protocol "WAP." Applicants disagree. In Col. 10, lines 5-39 Gleeson discloses:

"The basic protocol stack diagram for the prior art wireless network is shown in FIG. 8A which illustrates a connection between a mobile client node (stack 838) and a server node on a LAN network (stack 846). The client node protocol stack 838 communicates with a radio packet modem 840 which, in turn, communicates with base station 842. Base station 842 communicates with a message switch 844 which, in turn, communicates to the LAN server stack 846.

Protocol stack 838 in the mobile client node consists of the application layer 800, non-standard protocol layer 802, and a protocol layer 804 for the protocol used by the radio packet modem 840. The non-standard layer 802

is network specific and must be used by clients and hosts/gateways which access the wireless network. Protocol layer 802 provides the means whereby the mobile client node identifies the host to which it wants to communicate and other options, such as the use of acknowledgements.

The modem protocol layer 804 converts the non-standard protocol used in layer 802 to the radio modem protocol (RM) used to interface with the radio packet modem 840. This latter protocol is both network and modem specific.

The radio packet modem, in turn, communicates with the base station 842 by means of a radio protocol (RP). The modem/base station radio protocols generally include significant error correction overhead and, if retries and acknowledgements are taken into account, the effective throughput over the radio link is typically only 10% to 50% of the nominal throughput depending on the traffic being carried over the network."

The underlined text shows that the radio modem protocol is both network and modem specific. In the past it was common to talk about "Hayes compatible modems".

Applicants submit that RM and WAP are not functionally equivalent. WAP is not a protocol specific to a modem model. Further, WAP protocol is not used for transmitting the data- TCP/IP protocol, for instance, is.

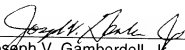
6. Applicants respectfully submit that claims 4 and 12 are patentable over the combination of Gleeson in view of Bhagwat et al. (US 6,721,805, "Bhagwat") under 35 USC 103(a).

Claims 4 and 12 depend from claims 1 and 9, respectively.

The combination of Gleeson and Bhagwat fails to disclose or suggest completely forming messages by the application layer from the information to be transmitted, where said messages are different from said information being transmitted, as recited by claims 1 and 9. Bhagwat fails to disclose this feature missing from Gleeson.

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Respectfully submitted,

  
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19 Jan 2007  
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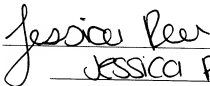
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